

but having turned it down on one or two occasions, seriously, under the new plan, as I understand it, the judicial judgeships would be created by statute. On the other hand, we have a non-political system of appointing judges now, so really the reason for barring the legislator as a possible candidate might no longer exist. I would like your answer to that particular question.

THE PRESIDENT: Delegate Gallagher.

DELEGATE GALLAGHER: I recognize the judiciary might be deprived temporarily, three years and 364 days, of services of an able state senator, but it seems to me a willing governor perhaps might see to it that the office was not created until the end of the four-year term, and he could very nobly succeed.

We know that particular abuse is not directed solely at filling judicial offices but other offices where compensation may be increased. I appreciate you are not a member of the judiciary, because you do such a great job in the Senate.

THE PRESIDENT: Delegate Marion.

DELEGATE MARION: Could this section be said to be construed to prevent the appointment if a vacancy should occur in the office of lieutenant governor, of any member of the General Assembly from being appointed by the governor to fill that vacancy if the compensation for that office had been increased during that term?

THE PRESIDENT: Delegate Gallagher.

DELEGATE GALLAGHER: Yes.

THE PRESIDENT: Are you ready for the question?

Section 3.11 has already been considered on second reading. Under a suspension of rules you are now considering a further amendment to section 3.11 after second reading by Amendment No. 22. A vote Aye is a vote in favor of the amendment; a vote No, a vote against.

Cast your votes.

Has every delegate voted?

Delegate Boileau?

DELEGATE BOILEAU: Yea.

THE PRESIDENT: Delegate Boileau votes Yea.

Has every other delegate voted? Does any delegate desire to change his vote?

*(There was no response.)*

The Clerk will record the vote.

There being 91 votes in the affirmative and 12 in the negative, the motion is carried. Section 3.11 as adopted on second reading is amended by Amendment No. 22.

We now turn to consideration of the Report of the Committee on Style, S&D-14.

Before I do that, I overlooked having the Clerk read into the record Amendment No. 22, just passed. I ask him to read it at this time.

READING CLERK: Amendment No. 22 to Committee Recommendations LB-1, LB-2, and LB-3 as amended by Style Committee Report S&D-16, by Delegates Gallagher and Gilchrist: On page 4, section 3.11 Limitation of Appointment of Legislators in line 28 strike out the word "his" and insert in lieu thereof the word "the"; and In line 29 before the comma insert the following: "for which he was elected or appointed" and in line 32 strike out the word "his" and insert in lieu thereof the word "such".

THE PRESIDENT: The Chair now recognizes Delegate Penniman to present Report S&D-14.

DELEGATE PENNIMAN: This is a distinct pleasure because this is the last report for second reading.

I also want to say to those of you who early in the Convention said I had the dullest job in the Convention, that, as a result of the last few days, I can assure you this is not true; it is not by any means the dullest job in the Convention.

Let me say this article 9 will be General Provisions, and what we have done is list the items which will appear there. You have approved all of those that are there by name. Only three, then, are here for consideration at this time. One is Corporation Charters, in which we have in line 11 removed the "and", and in line 12 removed the comma following the word "exist", which was the manner in which the Chairman of the Committee of the Whole had made the suggestion then at the time it was considered by the Committee of the Whole.

There are no further changes at this point in section 9.08, which was originally LB-2. It is precisely as it came to us from the Committee of the Whole.

In section 9.10, which originally had been GP-10, there are very slight changes